

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBIN M. LEE,

Plaintiff,

vs.

STATE OF HAWAII GOVERNOR, *et al.*,

Defendants.

Case No. 2:13-cv-01853-APG-CWH

ORDER

This matter is before the Court on Plaintiff's Motion to Amend/Correct Complaint (#9), filed December 12, 2013.

Plaintiff's original complaint was attached to his Application to Proceed *In Forma Pauperis* (#1), filed on October 10, 2013. The Court granted Plaintiff's request to proceed *in forma pauperis*, but, upon screening, dismissed his complaint without prejudice. *See* Order (#2). Based on the original complaint, the Court was able to surmise that Plaintiff is attempting to bring suit under 42 U.S.C. § 1983 for wrongful incarceration in violation of the Fourth, Fifth, Sixth, Seventh, Eighth, Thirteenth, and Fourteenth Amendments. However, the Court found that Plaintiff had failed to properly state his claims under section 1983. Although Plaintiff identified several constitutional amendments in his original complaint, he did not (1) provide any facts to determine how the amendments are implicated; (2) provide sufficient detail to determine what causes of actions he is alleging; and (3) did not provide enough information to determine what actions each defendant took and what causes of action are alleged against each defendant. Plaintiff was given thirty (30) days to file an amended complaint addressing the identified deficiencies.

On October 21, 2013, Plaintiff filed an additional motion requesting leave to file his amended complaint. (#4). The motion was denied as unnecessary because Plaintiff had already been instructed to file an amended complaint. Given Plaintiff's apparent misunderstanding, the Court construed the

1 motion (#4) as one for an extension of time to file and amended complaint. The request was granted
2 and Plaintiff given until December 16, 2013 to file his amended complaint.

3 By way of the motion currently before the Court, Plaintiff seeks an additional sixty (60) days to
4 file his amended complaint. The undersigned finds good cause for an extension, but will limit the
5 extension to thirty (30) days. Thus, in total, Plaintiff will have been given approximately ninety (90)
6 days to file his amended complaint. Accordingly,

7 **ORDER**

8 **IT IS ORDERED** that Plaintiff's Motion to Amend/Correct Complaint (#9) is **granted in part**
9 **and denied in part**. Plaintiff shall have an additional thirty (30) days, or until **Thursday, January 16,**
10 **2014**, to file an amended complaint. Failure to comply with this Order will result in a recommendation
11 that this action be dismissed.

12 Dated: December 16, 2013.

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15 **C.W. Hoffman, Jr.**
16 **United States Magistrate Judge**
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